

Appl. No. 09/700,561
Atty. Docket No. AA315X/KL
Amdt. dated August 26, 2003
Reply to Office Action of June 3, 2003
Customer No. 27752

REMARKS

Claims 1-20 are pending in the present application. Claims 2, 3, and 6 have been rejected under 35 U.S.C. § 112. Claims 11-16 and 19 have been rejected under 35 U.S.C. § 102. Claims 17 and 18 have been rejected under 35 U.S.C. § 103. The amendment made during the International Stage has been objected to under 35 U.S.C. § 132 and PCT Article 34 and 41. Claims 1, 4-5, and 7-10 are indicated as allowable.

Claims 2-3, 6, and 11-20 are canceled without prejudice. Claims 21-29 were previously cancelled.

Rejection Under 35 USC 112

Claims 2, 3, and 6 have been rejected under 35 U.S.C. § 112, first paragraph as supposedly not complying with the written description requirement. Applicants expressly do not acquiesce in such rejections. Nevertheless, Applicants have cancelled claims 2, 3, 6 in order to gain timely grant of the allowable claims and will pursue the rejected claims in a subsequent application. Therefore, by virtue of cancellation of claims 2, 3, and 6 the rejections under § 112 are rendered moot.

Rejection Under 35 USC 102

Claims 11-16 and 19 have been rejected under 35 U.S.C. § 102(b) as anticipated by WO 96/31179 to Ashton. Applicants expressly do not acquiesce in such rejections or admit that they are proper. Nevertheless, in order to gain timely grant of the allowable claims, applicants have cancelled these claims and will pursue them in a subsequent application.

Applicants note that Claim 20 was indicated in the Office Action cover sheet as being rejected, although the Office Action never addresses Claim 20. Therefore, this claim is presumed to be allowable. Nevertheless, because Claim 20 depends from a rejected base claim, in order to not delay grant of the allowed claims, Applicants have cancelled Claim 20 and will re-present it in a subsequent application.

Based upon the above, the rejections under § 102 have been rendered moot.

Rejection Under 35 USC 103

Claims 17 and 18 have been rejected under 35 U.S.C. § 103 over Ashton. Applicants expressly do not acquiesce in such rejections or admit that they are proper.

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Nevertheless, in order to gain timely grant for the allowable claims, applicants have cancelled these claims and will pursue them in a subsequent application. Therefore, the rejections under § 103 have been rendered moot.

Objections under 35 U.S.C. § 132 and PCT Article 34 and 41

Certain amendments made during the International Stage of this application have been objected to under § 132 and PCT Article 34 and 41 as introducing new matter into the disclosure. Applicants expressly do not acquiesce in such objections and deny that they are proper. Nevertheless, in order to gain more timely grant of the allowed claims, Applicants have cancelled all matter previously introduced cited in the Final Office Action. Therefore these objections are rendered moot.

Entry of Amendment After Final

Applicants respectfully request entry of this Amendment and consideration after Final Action. This Amendment cancels claims and removes all objections made in the Final Action. Therefore, this amendment places the case in condition for allowance and does not present any new issues needing consideration by the Examiner.

Conclusion

No new matter has been introduced by this amendment.

Issuance of a notice of allowance at an early date is respectfully requested.

Respectfully submitted,

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